

Exhibit 2

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JASON GOODMAN,

Plaintiff,

v.

CHRISTOPHER ELLIS BOUZY, et al.,

Defendants.

Case No. 1:21-cv-10878-AT-JLC

DECLARATION OF BENJAMIN WITTES

I, Benjamin Wittes, hereby declare under penalty of perjury as follows:

1. I am over the age of eighteen and am competent to make this Declaration. I have personal knowledge of the matters set forth below.

2. I am a senior fellow in Governance Studies at The Brookings Institution, and the co-founder and editor-in-chief of Lawfare, an online magazine on the intersection between law and national security.

3. On June 30, 2017, Lawfare published an article by Matt Tait titled, “The Time I Got Recruited to Collude with the Russians,”¹ where Mr. Tait confirmed that he was a source for a recently published Wall Street Journal article that reported on efforts by Peter W. Smith, a political operative, to obtain Hillary Clinton’s personal emails from supposed Russian hackers in advance of the 2016 U.S. presidential election.² These efforts were discussed at some length in the

¹ Matt Tait, *The Time I Got Recruited to Collude with the Russians*, Lawfare (June 30, 2017), <https://www.lawfareblog.com/time-i-got-recruited-collude-russians>.

² See Shane Harris, *GOP Operative Sought Clinton Emails From Hackers, Implied a Connection to Flynn*, The Wall Street Journal (June 29, 2017), available at <https://www.wsj.com/articles/gop-operative-sought-clinton-emails-from-hackers-implied-a-connection-to-flynn-1498770851>.

Report on the Investigation Into Russian Interference In The 2016 Presidential Election issued by Special Counsel Robert Mueller.³

4. Mr. Smith died in May 2017. In July 2017, news reports revealed that a medical examiner's report confirmed that Mr. Smith died by suicide.⁴

5. Soon after, Mr. Goodman began publicly theorizing that Mr. Smith was murdered, and began publicly accusing me, in multiple forums, of participating in an alleged conspiracy to cover up that alleged murder. These allegations included multiple Twitter posts attached to my own insinuating or directly stating that I had been involved in the imagined cover-up. They also included video allegations posted to YouTube. These outlandish allegations are baseless and false.

6. Mr. Goodman has repeatedly made these allegations against me on Twitter and in YouTube videos. In addition, he has telephoned my wife and sought to get information from her. He has telephoned me as well. And he has repeatedly tweeted and otherwise publicly discussed defamatory allegations about my alleged participation in the supposed cover-up of the supposed murder.

7. During the course of these interactions, Mr. Goodman once implied that he might appear at a public speaking engagement of mine. The event ultimately was rescheduled for unrelated reasons, and when it later occurred we hired security and decided to host the event in a smaller room with limited public announcement as a result of Mr. Goodman's threat.

8. In December 2020, in an effort to put an end to this harassment, I offered to answer Mr. Goodman's questions related to Mr. Smith's death on Twitter. I engaged in a lengthy Twitter

³ See Special Counsel Robert S. Mueller, III, Report On The Investigation Into Russian Interference In The 2016 Presidential Election, Volume I of II, at 62-65 (Mar. 2019), *available at* <https://www.justice.gov/archives/sco/file/1373816/download>.

⁴ See, e.g., Katherine Skiba et al., *Peter W. Smith, GOP Operative who sought Clinton's emails from Russian hackers, committed suicide, records show*, Chicago Tribune (July 13, 2017), *available at* <https://www.chicagotribune.com/politics/ct-peter-smith-death-met-0713-20170713-story.html>.

Twitter exchange with Mr. Goodman, where I again repeatedly stated that I of course had no involvement in Mr. Smith's death. After this Twitter exchange, I blocked Mr. Goodman's Twitter profile.

9. I have reviewed Mr. Goodman's Amended Complaint. I understand that Mr. Goodman alleges that I "engaged [Chris] Bouzy's services to harass Goodman and eliminate his access to social media including Twitter and others," "retain[ed] Ballard Spahr" to represent Mr. Bouzy and Bot Sentinel, and otherwise "financed" their "civil defense." ECF No. 100 at 19-20, 42 ¶ 91. All of these allegations are false.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 6th day of March, 2023 in Istanbul, Turkey



Benjamin Wittes